



City of NORFOLK

C: Dir., Department of Planning and Community Development

To the Honorable Council
City of Norfolk, Virginia

October 23, 2012

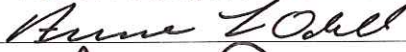

From: Frank M. Duke, AICP, Planning Director

Subject: Special Exception to operate a Tattoo Parlor at 1130 Boissevain Avenue – Otzi Tattoo Agency by Sean and Athena Karn

Reviewed: Anne F. Odell, AICP, Assistant City Manager

Ward/Superward: 2/6

Approved:



Marcus D. Jones, City Manager

Item Number:

R-10

I. **Recommendation:** Approval, considering compliance with *Zoning Ordinance* requirements and consistency with approved plans.

II. **Applicant:** Otzi Tattoo Agency by Sean and Athena Karn
1130 Boissevain Avenue

III. **Description**
This agenda item is to allow Otzi Tattoo Agency to operate a Tattoo Parlor.

IV. **Analysis**

- The site is located in the West Ghent/Chelsea Industrial district which is developed with a mix of predominately industrial and commercial uses with some residential uses present.

	Prior	Proposed
Hours of Operation	N/A	10:00 a.m. to 10:00 p.m., Monday through Saturday 12:00 noon to 8:00 p.m., Sunday

- The *General Plan* designates this site as Industrial/Transportation/Utility, making the proposed Special Exception consistent with the *General Plan*.
 - The proposed *General Plan*, *plaNorfolk2030*, designates this site as Industrial.
- The site is located in an I-1 (Limited Industrial) district which permits the use by Special Exception.
- This new use is expected to generate approximately 157 new vehicle trips per day.

- Tattoo Parlors are permitted by Special Exception in the I-1 district provided that the Tattoo Parlor is more than 100 feet from a residential zoning district and 1,000 feet from another Tattoo Parlor.
 - The proposed site meets the locational criteria.
- The use will require 17 parking spaces.
 - The site is grandfathered for 17 parking spaces considering it is fully developed and its prior uses.
- The attached conditions ensure compliance with ordinance requirements.

V. Financial Impact

The applicant is current on all taxes.

VI. Environmental

- There are other industrial and commercial uses adjacent to the site.
- A letter of support was received from the West Ghent Civic League.

VII. Community Outreach/Notification

- Legal notice was posted on the property on July 17.
- Legal notice was posted on the property on August 21.
- Letter was mailed to the West Ghent Park Civic League President on September 7.
- Notice was sent to the civic leagues by the Department of Communications on September 11.
- Letters were mailed to all property owners within 300 feet of the property on September 11.
- Legal notification was placed in *The Virginian-Pilot* on September 13 and 20.
- The Planning Commission Public Hearing was held on September 27, 2012.
- Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

VIII. Board/Commission Action

By a vote of **7 to 0**, the Planning Commission recommended that the request for a Special Exception be **approved**.

IX. Coordination/Outreach

This report has been coordinated with the Department of Planning and Community Development and the City Attorney's Office.

Supporting Material from the Department of Planning and Community Development:

- Ordinance
- Location Map
- Zoning Map with Tattoo Locational Criteria
- Application
- Letter to the Civic League
- Letter of support from the Civic League

Proponents and Opponents

Proponents

Sean & Athena Karn – Applicant
517 Graydon Avenue, Apt 5
Norfolk, VA 23507

Opponents

None


9/26/12 ts

Form CCO-003

Form and Correctness Approval:

Contents Approved:

By 
Office of the City Attorney

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

R-10
AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF A TATTOO PARLOR AND TATTOO SCHOOL ON PROPERTY LOCATED AT 1130 BOISSEVAIN AVENUE.

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to permit the operation of a tattoo parlor and tattoo school on property located at 1130 Boissevain Avenue. The property which is the subject of this Special Exception is more fully described as follows:

Property fronts 93 feet, more or less, along the northern line of Boissevain Avenue, and 89 feet, more or less, along the eastern line of Claremont Avenue; premises numbered 1130 Boissevain Avenue.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation shall be from 10:00 a.m. until 10:00 p.m., Monday through Saturday, and from 12:00 noon until 8:00 p.m. on Sunday. The operating hours indicated herein require that all tattooing procedures cease prior to the time of closing. If a tattooing procedure which begins during operating hours is not completed before the time of closing, the procedure must cease prior to the time of closing and may be resumed on another day during permitted operating hours. This condition shall be strictly construed.
- (b) The business shall not be opened to the public unless and until a tattoo parlor permit has been granted by the Norfolk

Health Department.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

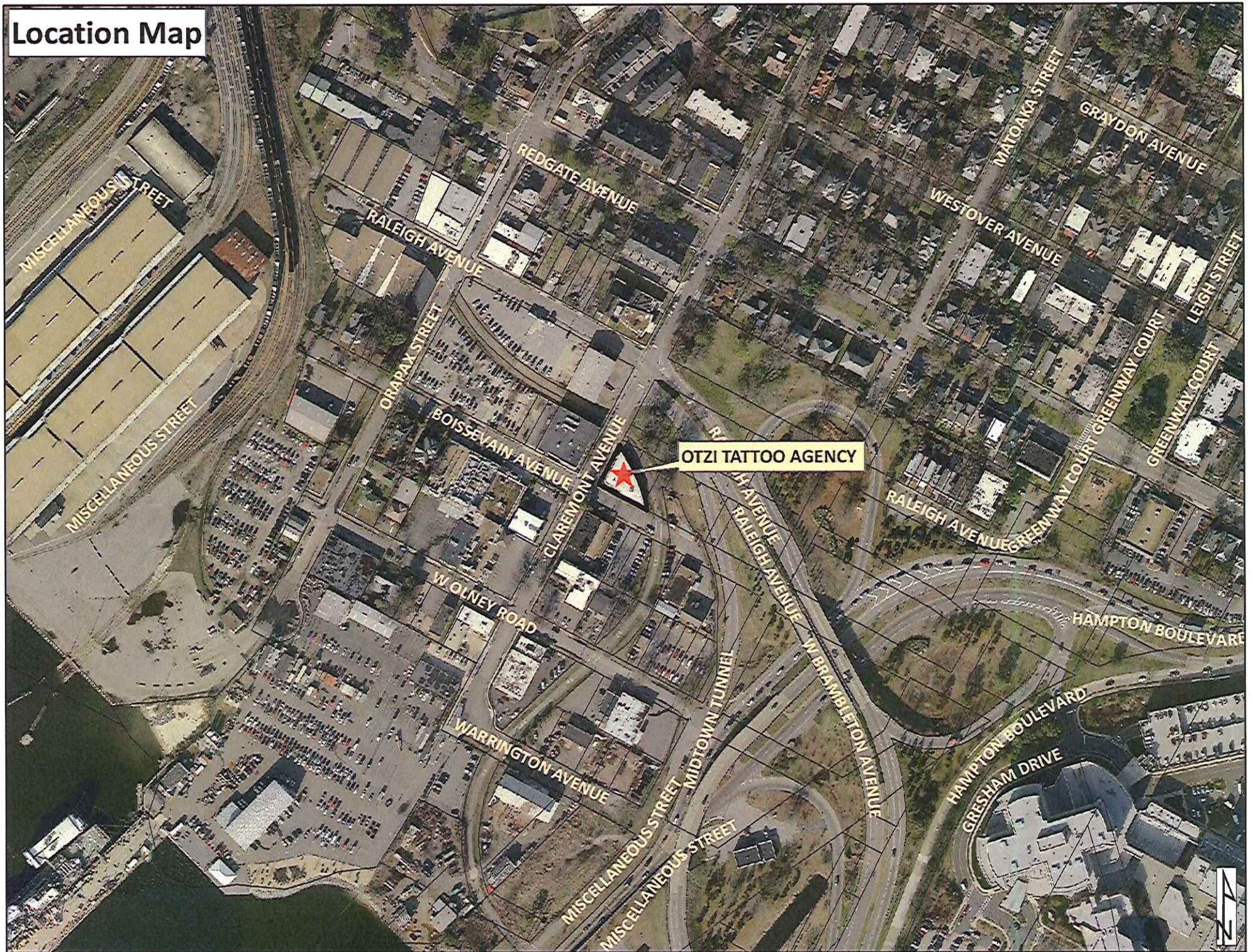
- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not

result in the destruction, loss or damage of natural, scenic or historic features of significant importance;

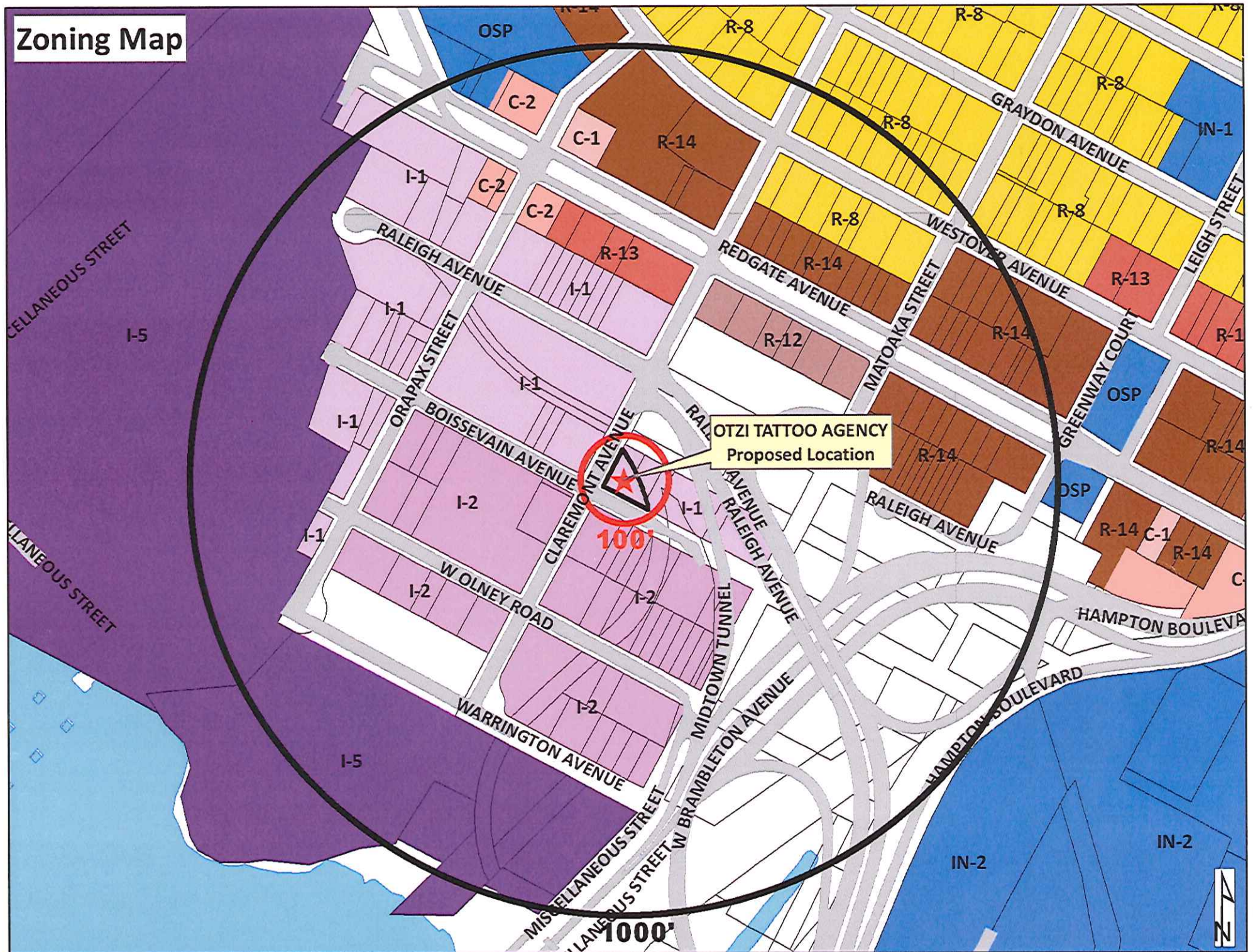
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

Location Map



Zoning Map





City of Norfolk

APPLICATION SPECIAL EXCEPTION

Special Exception for: TATTOO ESTABLISHMENT

Date of application: JULY 11, 2012

AUG. 11.

DESCRIPTION OF PROPERTY

Property location: (Street Number) 1130 (Street Name) Boissevain

Existing Use of Property Screen printer

Current Building Square Footage 4200

Proposed Use Tattoo Studio

Proposed Square Footage 4200

Proposed Hours of Operation:

Weekday From 10 AM To 10 PM

Friday From 10 AM To 10 PM

Saturday From 10 AM To 10 PM

Sunday From 12 PM To 8 PM

Trade Name of Business (If applicable) OTZI TATTOO AGENCY

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

APPLICANT/ PROPERTY OWNER

1. Name of applicant: (Last) Karn (MI) A (First) Sean & Athena

Mailing address of applicant (Street/P.O. Box): 517 Graydon Ave. Apt. 5

(City) Norfolk (State) VA (Zip Code) 23507

Daytime telephone number of applicant (757 822 0320) Fax number () _____

E-mail address of applicant: karnartinc@gmail.com

2. Name of property owner: (Last) TOSCA Development, LLC (MI) _____ (First) _____

Mailing address of property owner (Street/P.O. box): 801 Crapax St., 200

(City) Norfolk (State) VA (Zip Code) 23507

Daytime telephone number of owner () _____ Fax number () _____

CIVIC LEAGUE INFORMATION

Civic League contact: Tim Faulkner 478.5000

Date(s) contacted: Aug. 1, 2012

Ward/Super Ward information. _____

REQUIRED ATTACHMENTS:

- ✓ Check for \$265.00 made payable to: Norfolk City Treasurer.
- ✓ 2 8½x14 copies of a survey or site plan drawn to scale showing:
 - Existing and proposed building structures
 - Driveways
 - Parking.
 - Landscaping
 - Property lines (*see attached example).

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

SIGNED:

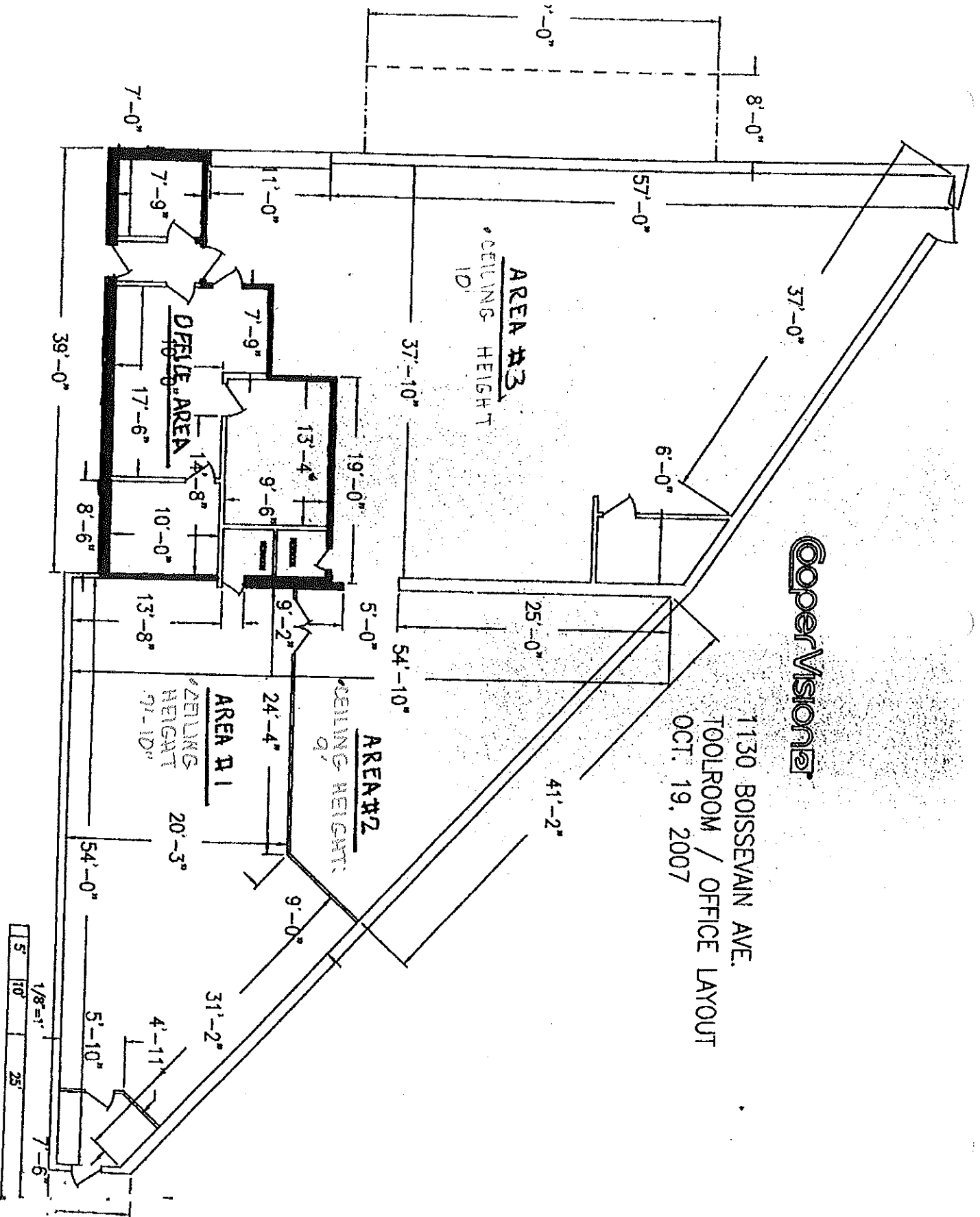
Charlie Tapani CTapani 8, 3, 12
Print Sign Date
(Property owner or authorized agent signature)

SIGNED:

Sheneka Farn Sheneka Farn 8, 10, 12
Print Sign Date
(Applicant signature)

CooperVision

1130 BOISSEVAN AVE.
TOOLROOM / OFFICE LAYOUT
OCT. 19, 2007





September 7, 2012

Tim Faulkner
President, West Ghent Civic League
PO Box 11526
Norfolk, VA 23517

Dear Mr. Faulkner:

The Planning Department has received an application for a Special Exception by Otzi Tattoo Agency to allow a Tattoo Parlor at property located at 1130 Boissevain Avenue. This request is tentatively scheduled for the September 27, 2012, City Planning Commission public hearing.


Summary

This request, if approved, will allow the applicant to operate a tattoo establishment.

	Current	Proposed
Hours of Operation	N/A	10:00 a.m. to 10:00 p.m., Monday through Saturday 12:00 noon to 8:00 p.m., Sunday

If you would like additional information on the request, you may contact the applicant at (757) 822-0320 or you may telephone Matthew Simons on my staff at (757) 664-4750. A copy of the complete application is enclosed.

Sincerely,


Frank M. Duke, AICP
Planning Director

cc: Vanessa Seals, Neighborhood Development Specialist

September 19, 2012

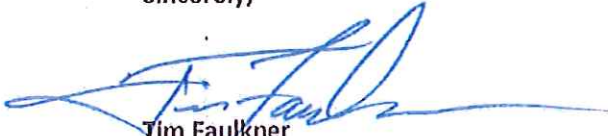
City of Norfolk
Department of Planning
City hall, Room 508
810 Union Street
Norfolk, VA 23510
Attn: Susan Pollock

Dear Ms. Pollock,

Athena and Sean Karn presented their business plan for the Otzi Tattoo Agency to the West Ghent Civic League on 09/18/12. They explained all aspects of their approach to include the operating hours of 10 am and 10 pm. A motion was passed at the general meeting to support the approval of this business in the West Ghent area.

If I can be of further assistance on this matter please contact me at (757) 478-5000(cell) or timf@thebreedencompany.com.

Sincerely,



Tim Faulkner
President
West Ghent Civic League